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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/645,793	08/21/2003	Gary Hall	M61.12-0276	3871

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WESTMAN CHAMPLIN (MICROSOFT CORPORATION)  
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EXAMINER

SALAD, ABDULLAHI ELM I

ART UNIT PAPER NUMBER

2157

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/09/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/645,793	<b>Applicant(s)</b> HALL ET AL.	
	<b>Examiner</b> Salad E. Abdullahi	<b>Art Unit</b> 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2003.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 August 2003 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>1/18/2005</u> . | 6) <input type="checkbox"/> Other: _____  |

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### **DETAILED ACTION**

1. This application has been reviewed. Original claims 1-24 are pending. The rejection cited stated below.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims rejected under 35 U.S.C. 102(e) as being anticipated by Fiatal et al., U.S. Patent Application Publication No. 2003/0157947 [hereinafter Fiatal].

As per claim 1, Fiatal discloses a method of determining whether to establish a synchronization connection on a mobile device, the method comprising:  
determining that there is data on a computing device to be synchronized with data on the mobile device (see fig.6 and paragraph 0063);  
broadcasting a notification (transmitting triggers or notification) indicating that there is data to be synchronized to the mobile device using a one-way communication channel;  
receiving the notification at the mobile device(see fig.6 and paragraph 0064); and  
based in part on the notification, deciding whether to initiate a connection to a computing device for the purpose of synchronization(see fig.6 and paragraph 0068).

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As per claim 2, Fiatal discloses the method of claim 1 wherein broadcasting a notification comprises broadcasting a short message service message (fig. 6, message 126).

As per claim 5, Fiatal discloses the method of claim 1 wherein determining that there is data on a computing device to be synchronized comprises receiving a mail message in a mail folder (see fig.4 and paragraph 0056).

As per claims 6-8, 10-11 and 14 Fiatal discloses the method of claim 1 wherein determining that there is data on a computing device comprises instantiating an exchange event service based on a change to a data object (see paragraph 0063).

As per claim 9, Fiatal discloses the method of claim 1 wherein the mobile device is a phone (see fig. 1. element 20).

As per claim 12, Fiatal discloses the method of claim 1 wherein the notification comprises a globally unique identifier (see paragraph 0056).

As per claim 13, Fiatal discloses the method of claim 1 wherein deciding whether to initiate a connection comprises waiting until a minimum number of notifications have been received at the mobile device, wherein the minimum number is greater than

one(see paragraph 0064)..

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fiatal as applied to claim 1 above, and further in view of Conneely. U.S. Patent Application Publication No. 2003/0050046 [hereinafter Conneely].

As per claims 3, Fiatal discloses substantial features of the claimed invention as discussed with respect to claim 1 above:

converting the simple mail transfer protocol message into the short message service message.

Conneely discloses Notification infrastructure for sending device-specific wireless notifications including converting the simple mail transfer protocol message into the short message service message (see paragraph 0051). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention presented with teaching of Fiatal to utilize Notification infrastructure for sending device-specific wireless notifications including converting the simple mail transfer protocol message into the short message service message, thus enabling the protocol be selected based on a capability of a network associated with the wireless device to use the protocol.

As per claim 4, Conneely discloses the method of claim 3 wherein sending a simple mail transfer protocol message to a carrier comprises addressing a simple mail transfer protocol message using an identifier that identifies the mobile device, determining that the simple mail transfer protocol message is a synchronization notification, and generating a second simple mail transfer protocol message with a different address (see paragraph 0047).

As per claims 14-24, the claims include features similar with features in claims 1-13, thus claims 14-24 are rejected same rational as claims 1-13.

### ***Conclusion***


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Salad E. Abdullahi whose telephone number is 571-272-4009. The examiner can normally be reached on 8:30 - 5:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Abdullahi Salad  
As  
3/29/2007

  
ABDULLAH SALAD  
PRIMARY EXAMINER